

## **ORDINANCE NO. 2009-978-O**

### **AN ORDINANCE AMENDING AND SUPERSEDING TITLE 11-4-2 A9 OF THE WASHINGTON COUNTY CODE (PRELIMINARY PLAT PROPOSED PLAN)**

WHEREAS, Washington County has previously adopted Title 11-4-2 A9 of the Washington County Code (Final Plat); and

WHEREAS, to comply with new building and engineering standards, and clarify easement requirements, Title 11-4-2 A9 of the Washington County Code (Final Plat) needs to be amended and superseded.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Washington County that Title 11-4-2 A9 of the Washington County Code (Final Plat) is hereby amended and superseded as follows:

1. Statutory Authority
2. Purpose of Provisions
3. Findings
4. Title 11-4-2 A9 Amendment
5. Prior Ordinances, Resolutions, Policies and Actions Superseded
6. Effective Date

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-53-208, 17-53-223, 17-27a-102, 17-27a-601, and 17-27a-602 (1953, as amended).

2. Purpose of Provisions.

This purpose of this ordinance is to amend and supersede Title 11-4-2 A9 of the Washington County Code (Final Plat) to comply with new building and engineering standards, and clarify easement requirements.

3. Findings.

- A. New building and engineering standards necessitate amending and superseding Title 11-4-2 A9 of the Washington County Code (Final Plat).
- B. Title 11-4-2 A9 of the Washington County Code (Final Plat) needs to be amended and superseded to clarify easement requirements.
- C. The Planning Commission caused notice of the hearing and the proposed amendment of Title 11-4-2 A9 of the Washington County Code (Final Plat) to be advertised at least ten (10) days before the date of the public

hearing in *The Spectrum*, a newspaper of general circulation in Washington County.

- D. On June 9, 2009, at 1:30 p.m., the Planning Commission held a public hearing to consider any comments regarding the proposed amendment of Title 11-4-2 A9 of the Washington County Code (Final Plat). The Planning Commission accepted all comments.
  - E. The proposed amendment of Title 11-4-2 A9 of the Washington County Code (Final Plat) was submitted to the Washington County Planning Commission ("Planning Commission") on June 9, 2009. The Planning Commission recommended approval of the proposed amendment.
  - F. It is in the interest of the public and the citizens of Washington County that the proposed amendment of Title 11-4-2 A9 of the Washington County Code (Final Plat) be approved.
4. Title 11-4-2 A9 Amendment.

Title 11-4-2 A9 of the Washington County Code (Final Plat) is amended and superseded to read as follows:

A. Description And Delineation: The final plat shall show:

9. Required utility and drainage easements along front property lines shall be a minimum of ten feet (10'). There may be additional easements needed on the final plat for utilities and drainage as prepared by a licensed engineer and approved by the county public works director.

5. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes Title 11-4-2 A9 of the Washington County Code (Final Plat), and all prior ordinances, resolutions, policies, and actions of the Washington County Board of County Commissioners to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. Effective Date.

This ordinance takes effect fifteen (15) days after its passage. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

APPROVED AND ADOPTED this 16<sup>th</sup> day of June 2009.

WASHINGTON COUNTY

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JAMES J. EARDLEY, Chair  
Washington County Commission

ATTEST:

\_\_\_\_\_  
Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Eardley voted \_\_\_\_  
Commissioner Gardner voted \_\_\_\_  
Commissioner Drake voted \_\_\_\_